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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAS VEGAS REGIONAL SURGERY
CENTER, L.P., a Nevada limited partnership,

2:18-CV-00093-RFB-(NJK)

Plaintiff,

VS.

BLUE CROSS OF COLORADO, a business organization, form unknown, and DOES 1-10,

Stipulation and Order to Extend Time to File Response to Defendant's Motion to Dismiss Plaintiff's First Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and the Reply in Support

(Third Request)

In accordance with LR IA 6-1, LR 7-1(a), and 7-2, the parties stipulate as follows:

1. On October 9, 2018, Rocky Mountain Hospital and Medical Service, Inc. doing business as Anthem Blue Cross and Blue Shield, erroneously named as Blue Cross of Colorado, filed Defendant's Notice of Motion and Motion to Dismiss Plaintiff's First Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and 12(e) (ECF No. 32). In accordance with LR 7-2(b), the plaintiff, Las Vegas Regional Surgery Center, L.P., had up to and including October 23, 2018, to file a response to the motion. On October 23, 2018, this Court entered a Stipulation and Order to Extend Time to File Response to Defendant's Motion to Dismiss Plaintiff's First Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and the Reply in Support (ECF No. 34). Under the stipulation, this Court extended the time for Las Vegas

1 Regional Surgery Center to file a response to the motion to dismiss until November
2 6, 2018. And this Court extended the time for Blue Cross to file a reply until
3 November 15. On November 7, 2018, this Court entered a Stipulation and Order to
4 Extend Time to File a Response to Defendant's Motion to Dismiss Plaintiff's First
5 Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and the Reply in Support
6 (ECF No. 36). Under the stipulation, this Court extended the time for Las Vegas
7 Regional Surgery Center to file a response to the motion to dismiss until November
8 12, 2018. And this Court extended the time for Blue Cross to file a reply until
9 December 3, 2018.

10 2. Because counsel for Las Vegas Regional Surgery Center had a family
11 emergency, he asked for an additional extension of time until November 15, 2018, to
12 file a response to the motion. Blue Cross agreed to the extension.

13 3. But because Blue Cross's counsel will be out of the office she asked for
14 an extension of time until December 6, 2018, to file the reply. Las Vegas Regional
15 Surgery Center agreed to the extension.

16 4. The parties have agreed to these extensions for good cause and not
17 solely for the purpose of delay.

18 5. This is the third request for an extension of time to file an opposition to
19 the motion to dismiss.

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1 6. Hence the parties stipulate that Las Vegas Regional Surgery Center
2 shall have up to and including November 15, 2018, to file a response to the motion.
3 And Blue Cross may file a reply in support of the motion on or before December 6,
4 2018.

5 DATED this 12th day of November 2018.

6 DAVID J. MERRILL, P.C.

7 MESERVE MUMPER & HUGHES LLP

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22 IT IS SO ORDERED:



23 HONORABLE RICHARD F. BOULWARE, II
24 UNITED STATES DISTRICT JUDGE

25 DATED: November 15, 2018.